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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,190	09/16/2002	Henry Tebeka	214274US	8604
22850	7590	03/30/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.			HOOSAIN, ALLAN	
1940 DUKE STREET			ART UNIT	PAPER NUMBER
ALEXANDRIA, VA 22314			2645	10

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/009,190

Applicant(s)

TEBEKA, HENRY

Examiner

Allan Hoosain

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claim 1 is objected to because of the following informalities: It is unclear which alternative is recited by the limitation "and/or" in line 19. For this office action Examiner has assumed the limitation means "or". Appropriate correction is required.
2. Claim 11 is objected to because of the following informalities: It does not end in a period. Appropriate correction is required.

### *Drawings*

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the drawings must show a legend identifying the labels or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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5. Claims 1,6,11 recite the limitation "Internet type network" in lines 19-20. There is insufficient antecedent basis for this limitation in the claim.

6. Regarding claims 1,6,11, the phrase "Internet like network" renders the claim(s) indefinite because Internet is well defined and "like" after it makes it indefinite.

7. Claims 1,6,11 recite the limitation "the said link" and "the link" . There is insufficient antecedent bases for these limitations in the claim.

8. Regarding claims 1,6,11, the phrase "for example" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

9. Regarding claim 1, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by **Wise et al.** (US 5,884,262).

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As to Claims 1-15, with respect to Figure 3, **Wise** teaches a process that enables at least one user to access at least one multimedia voice server through a computer communication network (14), particularly an Internet type network;

each user being provided with:

- either a telephone connected through a local loop in the switched telephone network to an interface device (20i) located in a remote telephone exchange (16i) managed by a telecommunications operator with which the user has taken out a subscription;
- or a local interface device (30i) associated with a telephone handset,

the said process comprising the following steps:

- a connection is set up between the said interface device (20i,30i) and the multimedia voice server(s) concerned (v1,v2,v3,v4), through a service server (27) in the computer communication network,

such that data sent by multimedia voice servers representing sounds and/or images pass through the Internet network, and are received by the interface device and transmitted to the user,

- the interface device is activated in order to set up the said link between this device and the service server, by using:
  - either a control device associated with the said local interface device, particularly a key on a keypad of the said interface device,
  - or a control device associated with the telephone connected to the said remote interface device, for example being a key on the said telephone keypad,

- a menu is transmitted through the link thus set up between the service server and the said interface device and/or the telephone, presenting options for the related multimedia voice servers to the user,

such that the user may receive messages such as the following, for example:

“Welcome to the service server, through which you can access:

- the multimedia voice server for the new disks: press 1
- etc.”
- options in the distributed menu are selected using the said control device, and
- links are set up with the selected multimedia voice servers,

such that, for example, the user can press key 3 on the keypad of his telephone or his interface device, to receive information about the weather (Figure 3 and Col. 9, lines 1-12).

#### *Conclusion*

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Hanson et al.** (US 6,014,427) teach using predefined DTMF responses for retrieving voice mail.

**Beyda et al.** (US 6,487,277) teach using DTMF responses for processing transaction information.

**Bruce et al.** (US 6,539,080) teach using DTMF signals for providing information services to users.

13. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
or faxed to:

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(703) 872-9314, (for formal communications intended for entry)

**Or:**

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (703) 305-4012. The examiner can normally be reached on Monday to Friday from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (703) 305-4895.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

*Allan Hoosain*  
**Allan Hoosain**  
**Primary Examiner**  
**3/22/04**